

**WILLIAMSBURG CITY COUNCIL
WORK SESSION MINUTES
AUGUST 9, 2004**

The Williamsburg City Council held a work session on August 9, 2004, at 2:00 p.m. in the Council Chambers of the Stryker Building.

ATTENDANCE

Present were Ms. Zeidler, Messrs. Haulman, Scruggs, Chohany and Freiling. Also present were City Manager Tuttle, City Attorney Phillips, and City Clerk Crist.

Staff Attending: Department Heads Nester, Clayton, Serra, Walentisch, and Assistant City Manager Miller.

CALL TO ORDER

Mayor Zeidler called the meeting to order.

OPEN FORUM

Mayor Zeidler opened the comment session.

No one wished to speak. The session was closed.

BACKGROUND PRESENTATIONS/DISCUSSION

Colonial Soil and Water Conservation District Reforestation Project--Brian Noyes

Mr. Tuttle introduced Mr. Brian Noyes.

Mr. Noyes appreciated the opportunity to speak and thanked Council for their support of the Reforestation Project. Accompanying Mr. Noyes was Ms. Leanne DeBois, Program Associate at the Virginia Cooperative Extension Service in James City County.

Mr. Noyes and Ms. DeBois provided a report about the Reforestation Project. Following the hurricane last September, several agencies partnered to purchase 21,000 native-variety trees to be resold to the public, in packages of ten trees for \$1.00 per package. The trees were quickly sold, being well received and appreciated by the public. James City County and Williamsburg residents purchased 76% of the trees. The Virginia Cooperative Extension provided technical advice and written information about planting the trees. The project provided innovative methods to help the environment.

Mr. Noyes recognized Mr. Scruggs as a supportive board member of the Soil and Water Conservation District.

Ms. DeBois presented Council members with a written report. Regarding future projects, she said that the nominal charge for the trees will be used as seed money for a future reforestation program, and it was hoped that grant funds would be obtained. The city contributed \$500.00 to the initial program. There are plans to assess the success rate of the planted trees, as well as the impact to the environment.

Mayor Zeidler noted that Caren Schumacher, Executive Director of the Land Conservancy attended the last Neighborhood Council meeting, spoke about this program, and invited neighborhoods to participate.

Mr. Scruggs commented that this was a very successful project and he was excited to see the community involved. Council members were pleased with this educational and environmental project.

Mr. Noyes said that the Colonial Soil and Water Conservation District is hoping to have a watershed tour this coming fall, and he will let Council members know of the details. They have also contacted the Neighborhood Council.

Update on Workforce Development--Peter Walentisch, Director of Human Services

Mr. Walentisch provided Council members with a packet of information about area employment statistics, a Community Profile of Workforce Investment Act XIV (WIA XIV), a booklet on Workforce Development, and a list of the Workforce Development Consortium Board members.

Mr. Walentisch reviewed his extensive report, which included a history of the Job Training Partnership Act (1979) programs and the Workforce Investment Act (WIA) of 1998. Currently WIA is structured with two bodies, the Workforce Development Consortium and the Workforce Investment Board. He emphasized that it is the Consortium, with representatives from local governments that has final responsibility for the oversight of federally mandated programs. Mr. Scruggs is the current city representative on the Consortium.

Mr. Walentisch described the Workforce Development Center and encouraged Council to tour the Center. He explained the city's agreement with the Virginia Employment Commission (VEC) to create the Williamsburg Area's One-Stop Career Service Center at the VEC. The center provides help to people with education, training, assessment, interests, skills development, obtaining employment, and job retention.

He noted that Mr. Scruggs is the city's representative on the Peninsula Workforce Investment Consortium and was instrumental in encouraging a retreat to review this program and develop an updated five-year strategic plan.

The Mayor thanked Mr. Walentisch for his report on this complicated program. Its ultimate goal is to help citizens be productive in a job that gives them satisfaction. The Mayor was impressed with Mr. Scruggs work on the Consortium.

Mr. Scruggs commented that Virginia is a leader in the WIA program, but serious problems still exist about how to approach the labor market. This program should be driven by businesses, with an education component.

Mr. Haulman congratulated the city, Mr. Walentisch and Mr. Scruggs for their work on this program. He looked forward to receiving the final copy of the Strategic Plan. Mr. Chohany commented that he would like to meet with Mr. Walentisch to discuss the impact of the changing workforce in our community. Mr. Walentisch responded to Mr. Freiling that the One-Stop Center has been both helpful and efficient in providing the training and employment needed and that Thomas Nelson Community College has been cooperative in assisting with training.

Mr. Walentisch noted that Mr. Scruggs was recently elected as the Vice-Chair of the

Consortium.

Assignment Agreement and Amended Agreement for the Purchase and Sale of High Street Property

Reference for this item was Mr. Tuttle's report dated August 5, 2004, which included his summary of the agreement and a copy of the memorandum from Jim Tucker, Investment Advisor for the project.

Mr. Tuttle said that this past May, Lerner Enterprises agreed that a successor developer would be better suited to move the High Street project forward. Mr. Tucker began the search for a successor developer, and that search resulted in the identification of Roseland Property Company and their partners Poag & McEwen Lifestyle Centers.

Mr. Tuttle showed an overhead on the High Street property and briefly reviewed the assignment agreement. The project includes Treyburn Drive, residential and business uses, and public open space. The residential mix will include condominiums, townhouses, and some apartments. Mr. Tuttle noted that the city would need to amend its Economic Development District zoning to allow for rental residential use. The Focus Group will be reconvened and involved in the project. Roseland has been very aggressive to start this project. Phase I will include construction of a theater and Treyburn Drive, Phase 2, the construction of the balance of the commercial use and the first stage of the residential property, and Phase 3, completion of the project. In accordance with the agreement, Roseland will have a sixty-day study period (and a 30-day extension if necessary), at the end of which they can either move forward or terminate the project.

Mr. Tucker reviewed his report to Council. He was pleased to recommend Roseland. He was confident that the Focus Group's vision would soon be a reality. Roseland's top management has been involved from the beginning of this process and they have already engaged architectural, engineering, and planning staffs, and have worked to resolve a lot of development issues. They have embraced the Focus Group report. Mr. Tucker was confident that this proposal represents the intention to develop High Street Williamsburg into something that Williamsburg will be proud of, and that the developer can take pride in.

The Mayor thanked Mr. Tucker and Mr. Tuttle for their comments. The Roseland team has superb credentials and is known for quality residential and quality commercial development with the financial backing to accomplish this project. The Focus Group's desire was a high quality, mixed-use development and this project is a parallel vision. This agreement will immediately begin a visible redevelopment of Richmond Road.

Mr. Haulman felt that meeting with the developer face to face was critically important. He commented that he hoped to see affordable housing included in High Street, which is an important issue to the city. Accessibility is vital, and should include bike trails and sidewalks. He hoped the developer would make High Street a destination, with a mix of both national chains and local businesses.

Mr. Tuttle noted that the project plans would be reviewed by the Planning Commission in September and would come before City Council in October.

Mr. Tucker added that the developer is anxious to meet with the reconvened Focus Group.

Affordable housing has been discussed and Roseland is already ahead of contract requirements as far as their work product. They are interested in a mix of businesses and will look to Council for advice.

Mr. Chohany asked Mr. Tuttle to review the major differences between Lerner and Roseland at Thursday's Council meeting.

Mr. Tucker discussed the details of the purchase price and appraisal for this property, and how Roseland can now avail itself to this Williamsburg development opportunity. Mr. Tuttle added that this was a judgment call, whether to leave the Lerner project behind and start over, or to continue the development momentum. This methodology allows the city to move forward in a timely fashion.

Mr. Scruggs commented that Roseland was top level, working immediately, and following the Focus Group's vision. Mr. Freiling was pleased with the mixed-use development, especially the recreation/park aspect. He was encouraged by the concept of decked parking and its location. He noted the importance of the transportation connection between downtown and High Street.

Mayor Zeidler thanked Mr. Tucker. She said a public hearing has been noticed for Thursday's meeting, to be followed by Council action on Resolution #04-16, which would authorize execution of both the Assignment Agreement and the Amended Purchase Agreement.

Preview of City Council Meeting: August 12, 2004

No additional information was requested.

City Council Communications

Placement of Parking Decals: Mayor Zeidler reported that residents raised questions at the Neighborhood Council meeting about where parking decals must be placed. Mr. Tuttle said that the decal was easier to see on the rear bumper by police, but that it would be acceptable to put it on the outside rear window or on a metal plate attached to the license plate.

Parking Information: Mr. Freiling applauded the new parking brochure "Resident Parking permits on Designated City Streets," produced by the Finance Department.

William and Mary Students Return: Student return to campus on August 20.

Mr. Tuttle will report on activities planned for students at the Thursday Council meeting.

Schedule of Meetings

Interviews for Appointment to Library Board and Arts Commission: The Mayor announced City Council will conduct interviews on Tuesday and Wednesday, August 10 and 11, 2004.

OPEN FORUM

Ben Field, Bristol Commons, commented about the development of High Street. He noted two major problems: traffic and schools. A theater will increase traffic problems in to a high-density area. As part of the development, a theater could go out of business in twenty or so years and end up being a "white elephant."

CLOSED SESSION

Mr. Haulman Moved that City Council go into Closed Session pursuant to Section 2.2-3711 of the Code of Virginia for the purpose of discussing two property matters per subparagraph 3 concerning acquisition of property for watershed protection of which discussion in an open meeting would adversely affect bargaining or negotiation strategy of public body, and one legal matter per subparagraph 7 for the purpose of consultation on specific legal matters requiring the provision of legal advice by council, concerning status of rental inspection declaration judgment suit. The Motion Was Seconded by Mr. Scruggs.

Recorded Vote on the Motion:

Aye: Freiling, Scruggs, Zeidler, Haulman, Chohany

No: None

The meeting adjourned at 3:37 p.m.

The Mayor called a five-minute recess.

At 4:26 Council met in Open Session.

Mr. Haulman Moved the Certification of Closed Meeting. The Motion was Seconded by Mr. Scruggs.

Recorded Vote on the Motion:

Aye: Freiling, Scruggs, Zeidler, Haulman, Chohany

No: None

CERTIFICATION OF CLOSED MEETING

Date: August 9, 2004

Motion: Mr. Haulman

Second: Mr. Scruggs

WHEREAS, the City Council of the City of Williamsburg has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by the City Council that such meeting was conducted in conformity with Virginia Law.

NOW, THEREFORE, BE IT RESOLVED that the City Council of Williamsburg hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed session were heard, discussed or considered by the City of Williamsburg.

VOTE:

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Aye: Freiling, Scruggs, Zeidler, Haulman, Chohany
No: None

Absent During Vote: None

Absent During Meeting: None

OPEN MEETING

Mr. Scruggs Moved That City Council Authorize the City Manager, In Consultation with the City Attorney, to Negotiate For the Purchase of Thirty Plus (30+) Acres on Oak Tree Road in York County. The Motion Was Seconded by Mr. Freiling.

Recorded Vote on the Motion:

*Aye: Freiling, Scruggs, Zeidler, Haulman, Chohany
No: None*

The meeting adjourned at 4:27 p.m.

Approved: September 9, 2004

Shelia Y. Crist
Clerk of Council

Jeanne Zeidler
Mayor